United Nations A/ES-10/302–S/2005/321

General Assembly
Security Council

Distr.: General
18 May 2005

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixtieth year

Letter dated 17 May 2005 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General

Israel, the occupying Power, continues to build its expansionist Wall in the Occupied Palestinian Territory, in grave violation of international law, including international humanitarian law and human rights law, and in flagrant disrespect for the 9 July 2004 Advisory Opinion of the International Court of Justice and the will of the international community, as expressed in General Assembly resolution ES-10/15 of 20 July 2004.

Today, the Israeli Government announcement its intention to continue with its expansionist plans to extend its Wall around the "Maale Adumim" settlement, the largest illegal Israeli settlement located east of Jerusalem in the Occupied Palestinian Territory. If implemented, the so-called "Maale Adumim loop" plan, which was approved by the Israeli Ministerial Council in February 2005, will lead to the confiscation and the de facto annexation of even more Palestinian land. This will also separate and isolate Occupied East Jerusalem from the rest of the West Bank and will gravely exacerbate the freedom of movement of Palestinian civilians to and from East Jerusalem.

Moreover, upon completion of the so-called "Maale Adumim loop", Israel, the occupying Power, plans to begin construction on another section of its expansionist Wall, this time connecting the illegal settlement of "Gush Etzion" to Jerusalem from the south. The occupying Power intends to establish a separate apartheid-like road to allow Palestinians access to the West Bank, with a small entrance to Jerusalem only open for Israeli motorists travelling from the Jordan Valley. It should be reiterated that the continuation by Israeli of such illegal activities and practices is clearly intended not for security purposes, as claimed by the occupying Power, but to create facts on the ground with the intention of determining the future of Occupied East Jerusalem, which remains one of the most crucial issues in regards to negotiations of the final settlement, thus demarcating a new border in far departure from the pre-1967 borders.

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The building of the Wall and all of Israel's illegal practices are taking us farther away from a peaceful settlement and seriously undermining the two-State solution to the Israeli-Palestinian conflict. Indeed, this expansionist Wall, if not ceased and dismantled, will make the two-State solution physically impossible to achieve. Such grave threats to the search for peace and stability must be addressed by the international community and urgent efforts must be taken to bring the parties back to negotiations aimed at the implementation of the Road Map and the achievement of the two-State solution to the Israeli-Palestinian conflict.

The international community must continue to be seized of this critical matter and must undertake measures to compel Israel, the occupying Power, to cease carrying out such measures in the Occupied Palestinian Territory, including East Jerusalem, which constitute breaches of international law and are a grave detriment to the serious efforts being exerted to revive the fragile peace process. The Security Council in particular has the duty to address this issue and to take the necessary measures to ensure that Israel upholds its responsibilities and legal obligations and that Member States also uphold their legal obligations in this regard, as mentioned in the Advisory Opinion of the International Court of Justice and as overwhelmingly called for by the General Assembly in its resolution ES-10/15 and in numerous other resolutions.

The present letter is in follow-up to our previous 217 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 15 April 2005 (A/ES-10/300-S/2005/244) constitute a basic record of the crimes committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

Accordingly, in follow-up to the above-mentioned letters, it is my regret to inform you that the Israeli occupying forces continue to use excessive and lethal force against the Palestinian civilian population under occupation. Since our last letter to you, at least 11 more Palestinians have been killed by the Israeli occupying forces, raising the total number of martyrs killed since September 2000 to 3,664. (The names of the martyrs that have been identified are listed in the annex to the present letter.)

I would be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Somaia **Barghouti**
Chargé d'affaires a.i.

Annex to the letter dated 17 May 2005 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General

Names of martyrs killed by the Israeli occupying forces in the Occupied Palestinian Territory, including East Jerusalem* (Sunday, 10 April, to Monday, 16 May 2005)

Sunday, 10 April 2005

Nasser Samir Al Saafine (17 years old) (from wounds sustained on 9 January 2005)

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Widad Mohamad Kamal Al-Kaoud Al-Tamimi

Monday, 16 May 2005

1. Omar Motie Abderahmane Asraoui
2. Mahmoud Hamdane Abu Shaar (18 years old) (from wounds sustained on 19 April 2005)

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United Nations A/ES-10/302–S/2005/321*

General Assembly
Security Council

Distr.: General
23 May 2005

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixtieth year

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* Reissued for technical reasons.

05-34908* (E) 240505

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The international community must continue to be seized of this critical matter and must undertake measures to compel Israel, the occupying Power, to cease carrying out such measures in the Occupied Palestinian Territory, including East Jerusalem, which constitute breaches of international law and are a grave detriment to the serious efforts being exerted to revive the fragile peace process. The Security Council in particular has the duty to address this issue and to take the necessary measures to ensure that Israel upholds its responsibilities and legal obligations and that Member States also uphold their legal obligations in this regard, as mentioned in the Advisory Opinion of the International Court of Justice and as overwhelmingly called for by the General Assembly in its resolution ES-10/15 and in numerous other resolutions.

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United Nations A/ES-10/302–S/2005/321**

General Assembly
Security Council

Distr.: General
26 May 2005

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
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Security Council
Sixtieth year

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United Nations A/ES-10/303–S/2005/372

General Assembly
Security Council

Distr.: General
6 June 2005

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixtieth year

Identical letters dated 6 June 2005 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and to the President of the Security Council

Yesterday, Sunday, 5 June 2005, marked 38 years since the onset of Israel's occupation of the Palestinian territory, including East Jerusalem, in 1967. Since then, Israel, the occupying Power, has continuously pursued policies and practices that are in violation of the rules and principles of international law and United Nations resolutions and that have aimed at the acquisition of more territory by force and the de facto annexation of the land under its occupation. As of this very moment, Israel continues to undertake unilateral and concrete measures that are altering the situation on the ground and, if not ceased and reversed, will negatively influence the outcome of any final settlement between the two sides.

Foremost among these illegal policies and practices has been Israel's colonial settlement campaign throughout the Occupied Palestinian Territory, including East Jerusalem, which has involved the confiscation of thousands of dunums of Palestinian land for the building and expansion of Israeli settlements and the bypass roads that connect them. In June of 2002, Israel began its second major enterprise linked with this colonial campaign, namely the construction of the Wall in the Occupied Palestinian Territory, including in and around East Jerusalem. The Wall, in conjunction with the hundreds of checkpoints and roadblocks established by Israel throughout the Occupied Territory, has severely restricted the freedom of movement of the Palestinian civilian population and is destroying the territorial contiguity of the Palestinian territory and thus the future prospect for the achievement of the two-State solution to the Israeli-Palestinian conflict.

In specific, Israel continues to carry out measures to unlawfully change the border between Israel and the territory it occupied in 1967, namely the 1949 Armistice Line, also known as the 1967 Line or Green Line. The construction of the Wall in the West Bank, in departure from the 1967 Line and deep inside the Occupied Territory, and the strategic establishment of various checkpoints are part

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and parcel of Israel's efforts to blur this line and to physically erect a new political border between it and the Palestinian territory.

In this regard, I would like to draw your attention to Israel's measures concerning the Qalandiya checkpoint which it has erected in the centre of the West Bank in a densely populated Palestinian civilian area and parallel to which the route of the Wall is being carved. It is being reported that Israel plans to transform the Qalandiya checkpoint into a border crossing — similar to an international gateway or crossing point — for the tens of thousands of Palestinians who cross it each day. Israel has accelerated work in an area a few metres east of the Qalandiya checkpoint to prepare for the construction of a compound or installation that will separate the northern and southern parts of the West Bank and separate Jerusalem and its surrounding towns and villages from the Ramallah area.

It is also being reported that Israel plans for this crossing point, which will be the largest and costliest ever to be built by Israel in the Palestinian territory, to be operated by a new civilian authority under the Ministry of Public Security and that it plans for other Government representatives, including the Interior Ministry and the Income Tax Authority, to be present there, as well as at a similar terminal being built outside of Bethlehem. Such plans confirm Israel's intentions to transform this checkpoint into a permanent border crossing inside the Occupied Palestinian Territory itself and not on the 1967 Line, intricately connected to the political border it has been establishing via its construction of the Wall, which the International Court of Justice concluded was unlawful and called for its cessation and dismantlement.

The Wall and the Qalandiya checkpoint combined are the denouement of Israel's incessant efforts aimed at the illegal, de facto annexation of East Jerusalem and its total separation and isolation from the rest of the Occupied Palestinian Territory. The impact on Jerusalem and the surrounding area will be grave, further altering their demographic compositions and destroying the socio-economic conditions and the very fabric of the lives of the tens of thousands of Palestinians living on either side of the Wall and the checkpoint.

These are serious developments that cannot continue and must not be overlooked by the international community. The continuation of this situation will totally undermine any progress, including in terms of the Gaza withdrawal and in terms of a genuine resumption of the peace process towards the implementation of the road map. In this respect, it is imperative to recall that, under phase I of the road map, Israel is supposed to withdraw from Palestinian areas occupied in September 2000 and the two sides are to restore the status quo that existed at that time. The understandings reached during the Sharm el-Sheikh summit also call for the withdrawal of Israeli forces to pre-September 2000 positions. This critical commitment has not been fulfilled by Israel and its fulfilment is vital for an improvement in conditions on the ground and for any movement forward. On the contrary, Israel continues to entrench its positions, seeking to establish a permanent situation on the ground, and the Qalandiya checkpoint is one glaring example that must be urgently addressed.

We urge the international community as a whole to exert all necessary efforts to address this situation. In this regard, measures should be taken by the Security Council and the General Assembly to compel Israel to cease its illegal practices and abandon its expansionist designs and instead to recommit itself to the peace process

and to the implementation of the road map towards the achievement of the two-State solution of Israel and an independent, sovereign and territorially contiguous Palestine, living side by side in peace and security on the basis of the pre-1967 borders.

The present letter is in follow-up to our previous 218 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 17 May 2005 (A/ES-10/302-S/2005/321) constitute a basic record of the crimes committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

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